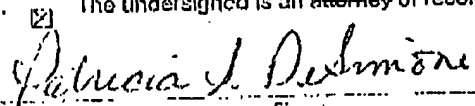


<b>Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent</b>				Docket No. <b>08CN8851-6</b>	
In Re Application Of: <b>Jos Bastiaens, et al.</b>					
Application No. <b>10/815,267</b>	Filing Date <b>March 31, 2004</b>	Examiner <b>Zemel</b>	Customer No. <b>23413</b>	Group Art Unit <b>1711</b>	Confirmation No. <b>7478</b>
Invention: <b>FLAME RETARDANT EXPANDABLE POLY (ARYLENE ETHER)/ POLYSTYRENE COMPOSITIONS AND PREPARTION THEREOF</b>					
Owner of Record: <b>General Electric Company, 1 River Road, Schenectady, NY 12345</b>					
<b><u>COMMISSIONER FOR PATENTS:</u></b>  <p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,583,205. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an <sup>agent</sup>attorney of record.</p> <p style="text-align: center;">         _____        Signature     </p> <p style="text-align: right;">Dated: August 31, 2005</p> <p style="text-align: center;">       Patricia S. DeSimone        _____        Typed or Printed Name     </p> <p> <input type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.  <input type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged.  <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.     </p>					

P32/REV02

# **TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.

08CN8851-6

In re Application of: Jns Bastlaens, et al.

Application No. 10/815,267

Filed: March 31, 2004

For: FLAME RETARDANT EXPANDABLE POLY (ARYLENE ETHER)/POLYSTYRENE  
COMPOSITIONS AND PREPARATION THEREOF

The owner, General Electric Company, 1 River Road, Schenectady, NY 12345 of 100.00 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/427,278, filed on May 1, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant. In the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an <sup>Att</sup>attorney of record.

3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is \$130.00 and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.  
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1131.  
☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

PTO suggested wording for terminal disclaimer was

- ☐ unchanged. ☒ changed (if changed, an explanation should be supplied.)

Patricia S. DeSimone  
 Signature

Name and Address of Person Signing

Patricia S. DeSimone  
 Reg. No. 48, 137  
 Phone 860-286-2929

Dated: August 31, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 31, 2005

(Date)

Tasia Hansen  
 Signature of Person Mailing Correspondence

Tasia Hansen

Typed or Printed Name of Person Mailing Correspondence

PC/RCV02